

## **REMARKS**

### **1. Status of the Claims**

Claims 1-15 are currently pending, of which claims 1, 7, 8, and 10 are independent and the remainder dependent. By this Amendment, Applicants have amended independent claims 1, 7, 8, 9, and 10, and dependent claims 2-6 and 11-15.

Applicants contacted Examiner Karikari on Tuesday, March 3, 2009, at which time the Examiner informed Applicants that an Advisory Action would be issued requiring the filing of an RCE to consider the amended claims. Applicants have not yet received the Advisory Action, and it has not yet been imaged in PAIR. Accordingly, the claims set forth above include claim mark-ups assuming that the Amendment After Final and Interview Summary filed on February 20, 2009 was not entered by the Examiner.

A Request for Continued Examination has been included with this response. Accordingly, Applicants request the withdrawal of the finality of the last Office Action and request further consideration of the attached amended claims on the merits.

### **2. Summary of the February 17<sup>th</sup> Interview**

Applicants thank the Examiner for scheduling and participating in the February 17<sup>th</sup> Interview. During the interview, the novel aspects of the currently claimed invention were discussed, and the extent of the Cover disclosure was also discussed. Finally, the Examiner and Applicants discussed potential claim amendments that would distinguish over the cited art of record. Applicants submit that the claim amendments above comport with the discussions set forth during the Interview. Applicants do not concede to any of the assertions set forth in the last Office Action, and submit that the attached amendments are not made to comport with any of the

assertions in the last Office Action, but to comport with the discussions set forth during the Interview.

### **3. Claims 1-15 Are in Condition for Allowance**

The Court of Appeals for the Federal Circuit has held that “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As discussed more fully in the following sections, Applicants submit that the Cover reference fails to anticipate each and every element of the currently claimed invention. Specifically, Applicants have amended the independent claims 1, 7, 8, and 10 to require that the detected network address of the requesting terminal be temporally unique. In other words, at any one point time, the network address then being used by the requesting terminal is unique. The network address may be a permanent unique address, or a unique address temporarily assigned to the terminal.

Applicants submit that the cited Cover reference fails to disclose the claim limitations of claims 1, 7, 8, and 10 requiring that the email proxy “detect a unique network address of the requesting terminal,” and that the email proxy “use the detected network address of the terminal to retrieve email configuration settings” for the requesting terminal “from a database of email configuration settings.”

Rather, and as discussed during the Interview, the cited Cover reference merely discloses a user that provides a service identifier, such as an e-mail address, that could be duplicated any number of times across the network, and fails to uniquely identify a requesting terminal in a network.

**4. Claims 1-8 and 10-15 Are in Condition for Allowance**

Second, and as discussed more fully in the following sections, Applicants submit that the Cover reference fails to anticipate each and every element of the currently claimed invention as set forth in claims 1-8 and 10-15. Specifically, Applicants have amended the independent claims 1, 7, 8, and 10 to require that the email configuration settings are retrieved at the email proxy for forwarding the request to an email server without sending the settings back to the terminal.

In contrast to the amended claims, Cover fails to disclose further communications between the email proxy and an email server using the retrieved email configuration settings without sending the retrieved email configuration settings back to the terminal.

Rather, and as discussed during the Interview, the cited Cover reference merely discloses a configuration settings server explicitly for sending configuration settings back to a requesting terminal.

**5. Claim 7 is in Condition for Allowance**

Third, Cover fails to disclose the limitation of claim 7 relating to the forwarding of the email retrieval request by the email proxy to the email server, and fails to disclose the actual retrieval of an email message by the email proxy and forwarding of the email message to the requesting terminal.

Rather, and as discussed during the Interview, the cited Cover reference fails to disclose retrieval or sending of actual emails by the configuration server. The configuration server of Cover merely retrieves configuration settings and sends them back to the requesting terminal.

**6. Claim 8 is in Condition for Allowance**

Fourth, Cover fails to disclose the limitation of, for example, claim 8, relating to the email proxy modifying the email sending request using the retrieved email configuration settings and forwarding the modified email sending request to an email server.

Rather, and as discussed in the Interview, the cited Cover reference merely retrieves configuration settings and returns the retrieved configuration settings to the requesting user.

**7. Claim 9 is in Condition for Allowance**

Fifth, Cover fails to disclose the limitation of, for example, claim 9, relating to the use of default configuration settings across each mobile terminal operating within a network, and wherein requests to send or retrieve email from an email server are sent, via an e-mail proxy, using the default configuration settings.

Rather, and as discussed in the Interview, the cited Cover reference discloses retrieving unique configuration settings from a configuration server and storing the unique configuration settings locally in the requesting terminal.

## 8. Conclusion

For all the above reasons, Applicants respectfully submit that all claims are in condition for allowance over the cited art of record and respectfully request a Notice of Allowance.

Applicants again thank the Examiner for providing his time to discuss these matters with counsel and representatives of the assignee on February 17<sup>th</sup>.

Should the Examiner have any questions about this matter prior, the Examiner is invited to call the undersigned at (312) 913-2125.

Respectfully submitted,  
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